

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

BRYAN NANNEY,

Plaintiff,

v.

No. 23-cv-117-WJ-JHR

THE BOARD OF COMMISSIONERS
OF BERNALILLO COUNTY, CITY OF
ALBUQUERQUE, LISA MORTON,
FNU SAPIEN, ISAAC MINASES,

Defendants.

ORDER TO CURE DEFICIENCIES

This matter is before the Court on Bryan Nanney's letter filed February 8, 2023. (Doc. 1) (the "Letter"). Nanney is incarcerated and proceeding *pro se*. In his letter, Nanney indicates that he wishes to file a civil rights complaint under 42 U.S.C. § 1983 challenging the Constitutionality of his conditions of confinement. To raise such claims, Nanney must file a civil rights complaint and pay the \$402 filing fee or, alternatively, apply to proceed *in forma pauperis*.

The Court mailed Nanney a blank 42 U.S.C. § 1983 civil rights complaint and a blank motion to proceed *in forma pauperis* on February 8, 2023. To proceed in this matter, Nanney should complete and return the complaint form and address the filing fee within thirty (30) days of entry of this Order. The failure to comply with both directives in this Order (*i.e.*, return a completed civil right complaint and address the relevant filing fee) will result in dismissal of this case without further notice.

IT IS ORDERED that within thirty (30) days of entry of this Order, Nanney must file his claims on an appropriate form; and (2) prepay the \$402 filing fee for a civil rights complaint or,

alternatively, file an application to proceed *in forma pauperis* along with an inmate account statement reflecting transactions between August 8, 2022 and February 8, 2023.

A handwritten signature in black ink, appearing to be "J. H. H.", is written above a horizontal line.

UNITED STATES MAGISTRATE JUDGE